

Remarks:

Reexamination and reconsideration of the rejections are hereby requested.

Claims 1, 2 and 4 are pending in the application. These claims have been rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. In particular, with respect to claim 1 the Examiner states that the term “either” is unclear and should be removed. Claim 1 has been amended herein to remove this language. Claim 4 has been amended to recite “shortening and extending” to overcome the insufficient antecedent basis issue. It is submitted that the amendments to claim 1 and claim 4 overcome the 35 U.S.C. § 112, second paragraph, rejections. Reconsideration is requested.

Claims 1, 2 and 4 also stand rejected under 35 U.S.C. § 102(b) as anticipated by or, in the alternative, under 35 U.S.C. § 103(a) as obvious over U.S. Patent No. 6,079,333 to Manning. The present invention is directed to a time-limited weapons system that includes timing apparatus means to disarm the weapon after a selected time has elapsed. This selected time can be shortened and extended before and after the selected time has elapsed. As explained in the specification, the present invention will allow, for example, a country to export weapon systems to other countries with a selected time within which it can be used but nonetheless maintain the ability to disarm such weapons if desired. For example, if a current ally were to become an enemy, the selling country could render inoperable any munitions it had previously sold to the other country. By its very terms, the single independent claim, claim 1, is directed to a weapon along with time apparatus means for disarming the weapon after a selected time has elapsed and further including means for shortening and extending the selected time before and after the selected time

has elapsed. It is submitted that the cited patent to Manning does not anticipate nor render obvious that which is being claimed.

Manning is directed to a blasting system utilizing the accurate position location capability and accurate time signals of the global positioning system to explode a series of charges in a precisely timed, sequential fashion to shape a blast pattern. First of all, Manning is not directed to a weapon. The Examiner's attention is directed to the Manning specification at column 1 beginning at line 9 which states "In blasting operations, it is important to achieve the maximum breakage for a given amount of explosives in a blast. It is further important to minimize the effects of the blasting on nearby structures by reducing the amplitude of ground vibration produced by the blast." Clearly, Manning deals with the breaking up of underground formations without damaging the surroundings indicating that Manning is not disclosing a weapon. Second of all, Manning does not teach or suggest any means whatsoever for *disarming* a weapon after a selected time has elapsed nor any teaching of shortening and extending the selected time before and after the selected time has elapsed.

On the contrary, Manning is concerned only with *detonating* charges. The Manning system uses GPS both to determine the precise location of explosive charges and to detonate the charges at highly precise times. That Manning is concerned solely with detonating explosive charges is made abundantly clear throughout the specification. To summarize, Manning is not directed to a weapon system; his goal, in fact, is to prevent damage. Manning also does not teach or suggest disarming a weapon but only detonating weapons at precise times.

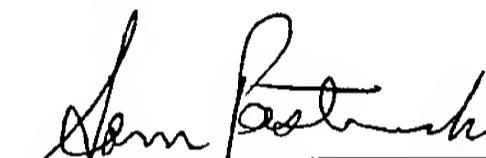
The undersigned attorney and the inventor, Frank Porter, Jr., wish to thank Examiner Hayes for according them a telephone interview on December 15, 2003. During the interview Mr. Porter described the invention and emphasized that it is a weapon system having a selected time period during which it is activated. That time can be shortened and extended. The undersigned attorney then pointed out that Manning does not disclose nor suggest the ability to disarm weapons but rather is directed only to detonating explosive charges for blasting purposes. In the interview summary mailed December 16, 2003, the Examiner states that he "agreed that Manning apparently did not disclose the claimed invention." The interview summary also indicated that the Examiner had performed an additional search that yielded U.S. Patent No. 6,014,932 to Mardirossian.

Mardirossian is directed to a land mine arming/disarming system that can also be used to disarm "missiles, rifles and the like." The patent suggests two possible modes of operation in a missile context. In one aspect the missile is sold to a foreign country in a disarmed state and armed later. In the other mode the missile is sold to a foreign country in an armed state and later disarmed. Importantly, this patent does not teach or suggest that the weapon have an initial "selected time" during which the weapon can be detonated. As Mr. Porter explained in the interview, a government or company might sell a weapon remaining in an activated state for a selected time such as, for example, three years. According to claim 1 this exemplary three year period can be shortened and extended before and after this selected three year period has elapsed. For example, if the receiving entity becomes hostile within the exemplary three year period, the selling country can deactivate the weapon. On the other hand, if the receiving entity remains

friendly, the three year period can be extended. Finally, if, after the initial selected time period has been extended, the receiving country becomes hostile, the weapon can be disabled. The Mardirossian reference is totally lacking the "selected time" aspect. As mentioned above, either the Mardirossian weapon is initially sold in the disarmed state and thereafter armed or sold armed and thereafter disarmed. There is no "selected time" at which time the weapon is automatically disarmed without the selling country needing to do anything. Therefore, Mardirossian does not meet the claimed limitations in pending claim 1.

For the foregoing reasons, it is submitted that the pending claims are in condition for allowance and early favorable action is requested.

Respectfully Submitted,

  
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